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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,506	06/19/2001	David A. Senechalle	111898-00102	8694
7590 12/15/2004			EXAMINER	
Blank Rome LLP Peter S. Weissman 600 New Hampshire Avenue, N.W. Suite 1100-11th Floor Washington, DC 20037			VU, THANH T	
			ART UNIT	PAPER NUMBER
			2174	
DATE MAILED: 12/15/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/883,506	Applicant(s) SENECHALLE ET AL.	
	Examiner Thanh T. Vu	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) 9-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Election/Restrictions

Applicant's election with traverse of Group I, claims 1-8 in the reply filed on 08/04/2004 is acknowledged. The traversal is on the ground(s) that Group IV is better classified in subclass 792 for split panes. This is not found persuasive because Group I has separate utility such as providing a window management system for splitting display pane window, while Group IV is directed to interactions are constrained to one or more portions or regions of the display, which may display all or part of their related information or objects. Accordingly, Claims 9-19 are withdrawn from consideration as being directed to a non-elected invention.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cecco et al. ("Cecco", U.S. Pat. No. 6,310,631) and Southgate (U.S. Pat. No. 5,561,757).

Per claim 1, Cecco teaches a window management system, comprising:
a frame window (fig. 2);

at least one pane window located within said frame window, each at least one pane window occupying a respective space within said frame window and having a minimum pane window size (fig. 2; col. 4, lines 47-60); and,

a split command for dividing a selected one of said at least one pane window into two pane windows to occupy the entire space of the selected pane window (figs. 3 and 4A-4B; col. 4, lines 47-60; col. 5, lines 47-57) .

Ceeco does not teach the two pane windows each having a minimum pane window size, said split command determining whether the minimum pane window size for the divided pane windows could fit within the space occupied by the selected pane window and, if so, then dividing the selected pane window into the two pane windows to occupy the entire space of the selected pane window.

However, Southgate teaches the two windows each having a minimum window size, said split command determining whether the minimum window size for the divided windows could fit within the space occupied by the selected window and, if so, then dividing the selected window into the two windows to occupy the entire space of the selected window (col. 7, lines 39-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include determining a minimum size for a window as taught by Southgate in the invention of Ceeco in order to determine a smallest size of the window so that the window will not shrink beyond being able to display recognizable data to the user.

Per claim 2, Ceeco teaches the window management system of claim 1, wherein a unique application operates in each of a plurality of said at least one pane window (col. 4, lines 1-2).

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Per claim 3, Southgate teaches the window management system of claim 1, wherein if the minimum pane window size for the divided pane windows cannot fit within the space occupied by the selected pane window, then the selected pane window is not divided into the two pane windows (co. 11, lines 30-37).

Per claim 4, Ceeco teaches the window management system of claim 1, wherein said split command divides the selected pane window horizontally (fig. 2; grab handles: 14, 16; col. 4, lines 47-60).

Per claim 5, Ceeco teaches the window management system of claim 1, wherein said split command divides the selected pane window vertically (fig. 2; grab handles: 13, 15; col. 4, lines 47-60).

Per claim 6, Ceeco teaches the window management system of claim 1, wherein said at least one pane window cannot overlap with any other of said at least one pane window (figs. 4A and 4B; col. 4, lines 47-57).

Per claim 7, Ceeco teaches the window management system of claim 1, wherein all of said at least one pane windows are simultaneously displayed in said frame window (figs. 4A and 4B; col. 4, lines 47-57).

Per claim 8, Ceeco teaches the window management system of claim 1, wherein said window management system is implemented within an application (col. 3, lines 14-23; co. 6, lines 35-37).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Santos-Gomez (U.S. Pat. No. 5,920,325) discloses multi-pane window with recoiling workspaces.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 8:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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